

# **EXHIBIT 12**

THOMAS H. GREEN Non-Confidential  
BARTOLETTI vs. CITIGROUP

October 25, 2012  
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1 T. G. GREEN  
2 this was the fourth or fifth RIF in a fairly  
3 limited number months, and I came up with the  
4 infrastructure RIF list and then submitted  
5 that to Frank Chin. And then he and David  
6 Brownstein and I am assuming others then were  
7 looking at a list across the department,  
8 Public Finance as a whole.  
9 Q. Okay. Did you consult with anyone  
10 before putting Ms. Sharpton on the layoff  
11 list?  
12 A. I don't recall.  
13 Q. Was this layoff list a physical  
14 written list that you prepared?  
15 A. I think it was a phone call with  
16 Frank Chin. And then he was keeping the  
17 whatever was going to be the departmental  
18 list.  
19 Q. I believe you testified earlier  
20 that you had to lay people off from your group  
21 because of the requirements of the RIF; is  
22 that correct?  
23 A. Yes.  
24 Q. What were the requirements of the  
25 RIF?

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1 T. G. GREEN  
2 A. The firm had indicated -- this is  
3 coming more from HR, you know, citywide. This  
4 was after Lehman went bankrupt, Citigroup had  
5 failed to purchase Wachovia after getting  
6 close to doing that. And so the situation at  
7 Citigroup was not good from a financial point  
8 of view. And so my understanding is HR,  
9 firmwide basis, set some targets for a fairly  
10 large number of employees to be RIFed in order  
11 to reduce the head count at the firm, which at  
12 the time was somewhere in the 350,000 range.  
13 My memory, and I am not certain of  
14 this number, but that the RIF was 30, 40,000,  
15 it was meant to be a large number was what the  
16 requirement. In addition, there was a dollar,  
17 you know, it was meant to involve a large  
18 payroll savings.  
19 Q. Now with respect to the RIF that  
20 occurred in November of 2008, were you told to  
21 lay off a certain number of people from your  
22 group?  
23 A. Not in so many words, no.  
24 Q. What do you mean by not in so many  
25 words?

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1 T. G. GREEN  
2 A. My memory is it was made clear to  
3 me that I had to produce substantial dollar  
4 payroll reductions and also significant head  
5 count reduction.  
6 Q. Who made that clear to you?  
7 A. Frank Chin.  
8 Q. And when did he make that clear to  
9 you with respect to the November 2008 RIF?  
10 A. I am trying to place the different  
11 RIFs. It was an early like a late '07/early  
12 '08. Like a spring '08, a couple in the  
13 summer. And then this one was like late  
14 November, so shortly before.  
15 Q. Shortly before --  
16 A. Shortly before late November is my  
17 memory.  
18 Q. Now did Frank Chin tell you how  
19 much savings your group had to have?  
20 A. No. Dollarwise you mean?  
21 Q. Yes.  
22 A. No.  
23 Q. Did he tell you how many people  
24 needed to be reduced from your group?  
25 MR. BATTAGLIA: Objection. Asked

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1 T. G. GREEN  
2 and answered. You may answer again.  
3 A. Not a precise number.  
4 Q. So then how did you know how many  
5 people you should include on the layoff list  
6 for the November 2008 RIF?  
7 A. I looked at the group and  
8 understood I needed to RIF senior people as  
9 well as junior people in order to produce  
10 significant dollar reductions and head count  
11 reductions.  
12 Q. But you didn't know how many, what  
13 kind of dollar reduction your group needed,  
14 correct?  
15 MR. BATTAGLIA: Objection. You  
16 may answer.  
17 A. I didn't know a precise number  
18 from Frank, that's correct.  
19 Q. Were you given a ballpark number  
20 from Frank Chin?  
21 A. You know, I don't remember. It is  
22 more conversational.  
23 Q. Well, what came up in that  
24 conversation?  
25 MR. BATTAGLIA: Objection. Asked

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<p style="text-align: right;">Page 29</p> <p>1 T. G. GREEN</p> <p>2 and answered. You may answer.</p> <p>3 A. Just that there is a large RIF</p> <p>4 that seems -- apparently is coming and you</p> <p>5 need to come up with a list that involves</p> <p>6 significant dollar reductions and significant</p> <p>7 head count reductions.</p> <p>8 Q. What did you understand the word</p> <p>9 "significant" to mean?</p> <p>10 MR. BATTAGLIA: Objection. You</p> <p>11 may answer.</p> <p>12 A. I don't remember. I just don't</p> <p>13 remember any precision to that.</p> <p>14 Q. How many people did you select for</p> <p>15 layoff in your group in November of '08?</p> <p>16 A. I am just trying to think of the</p> <p>17 total. It was about -- it wasn't half the</p> <p>18 group, it was close to half the group.</p> <p>19 Q. I am asking specifically with</p> <p>20 respect to November of 2008. How many people</p> <p>21 --</p> <p>22 A. The fourth RIF?</p> <p>23 Q. Yes. I am sorry, Mr. Green, just</p> <p>24 so we're clear, I am focused on the</p> <p>25 November 2008 RIF. If I talk about another</p>	<p style="text-align: right;">Page 31</p> <p>1 T. G. GREEN</p> <p>2 which she worked with. So Tom Bradshaw, for</p> <p>3 example, was a managing director probably</p> <p>4 twenty years there maybe. Several directors</p> <p>5 in the group, Steve Wood and Kimberly Swain</p> <p>6 are directors or were directors. And then</p> <p>7 some of the midlevel people as well.</p> <p>8 And so once if you -- we have a</p> <p>9 term called an account officer, which is a VP</p> <p>10 or above, and so that is taking down the size</p> <p>11 of the group by a third to half of the</p> <p>12 remaining account officers at that point. So</p> <p>13 it didn't make sense to keep, you know, the</p> <p>14 analysts. All the analysts and RIF all the</p> <p>15 revenue producing kind of new business banker</p> <p>16 level people.</p> <p>17 Q. And so why did you select</p> <p>18 Brittany?</p> <p>19 MR. BATTAGLIA: Objection. You</p> <p>20 may answer.</p> <p>21 A. Then I am looking at my analysts</p> <p>22 and I have two analysts in one class, and then</p> <p>23 I have one analyst in the following class.</p> <p>24 And I had Brittany Sharpton and Matt Chin in</p> <p>25 the same class, so I compared in my mind which</p>
<p style="text-align: right;">Page 30</p> <p>1 T. G. GREEN</p> <p>2 rough, I will make that explicit. So when</p> <p>3 answering the questions, I am focusing</p> <p>4 specifically on the November 2008 RIF and I</p> <p>5 will try to include that in all the questions</p> <p>6 I ask you with respect to that deadline or</p> <p>7 that type frame, sorry.</p> <p>8 A. I am thinking it was six or seven</p> <p>9 people, I just don't remember.</p> <p>10 Q. Do you remember their names?</p> <p>11 A. Tom Bradshaw, Kimberly Swain,</p> <p>12 Steven Wood, Brittany Sharpton, Mathilde</p> <p>13 McLean. And you know Shan Aranachalam I had</p> <p>14 RIFed and then somebody left the department</p> <p>15 and then I didn't have to RIF him. This is</p> <p>16 back in the summer. I am not trying to get</p> <p>17 away from November. I just don't remember. I</p> <p>18 either RIFed him then or he figured out he was</p> <p>19 first on the next list and left. He might</p> <p>20 have actually gone in between the summer RIF</p> <p>21 and the November RIF.</p> <p>22 Q. Why did you select Brittany</p> <p>23 Sharpton for layoff?</p> <p>24 A. Well, we were RIFing a significant</p> <p>25 number of the senior account officers, many of</p>	<p style="text-align: right;">Page 32</p> <p>1 T. G. GREEN</p> <p>2 of those two on a comparative basis. Again,</p> <p>3 this was a RIF. And I know you only want to</p> <p>4 talk about November, but this is the fourth</p> <p>5 RIF. So of those choices, I decided not to</p> <p>6 put Matt Chin on the list and put Brittany</p> <p>7 Sharpton on the list instead.</p> <p>8 Q. Because they were in the same</p> <p>9 class?</p> <p>10 A. Yes. And because on a comparative</p> <p>11 basis Matt seemed to be the analyst to keep</p> <p>12 within that class.</p> <p>13 Q. Any other reasons for selecting</p> <p>14 Brittany for layoff?</p> <p>15 A. No.</p> <p>16 Q. And when making your decision to</p> <p>17 select Brittany for layoff, did you review any</p> <p>18 documents to assist you in selecting Brittany?</p> <p>19 A. You know, my memory is I had done</p> <p>20 their reviews some time -- analysts just so</p> <p>21 you know, they are reviewed on a mid-year</p> <p>22 basis. And so the reviews were in June, late</p> <p>23 June, somewhere in there. So what I don't</p> <p>24 remember is, I don't remember if I looked at</p> <p>25 the reviews then or simply remembered, you</p>

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1 T. G. GREEN  
2 know, the results, if you will, of those  
3 reviews. I believe I probably looked at them,  
4 but I just don't recall.  
5 Q. Did you review any other  
6 documents, other than reviews that you may  
7 have looked at?  
8 A. I don't think so. Again, that's  
9 my memory.  
10 Q. Did you look at any deal sheets?  
11 A. Deal sheets?  
12 Q. Are you familiar with that term?  
13 A. No.  
14 Q. Did you review any revenue  
15 reports?  
16 A. Not with respect to analysts, no.  
17 Q. Mr. Green, have you ever been  
18 accused of discrimination?  
19 A. No.  
20 Q. Where did you go to college?  
21 A. I went to Harvard College.  
22 Q. And when did you graduate?  
23 A. 1981.  
24 Q. What degree did you graduate with?  
25 A. B.A. in government.

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1 T. G. GREEN  
2 Q. Is that the Kennedy school?  
3 A. No, undergrad. You asked me  
4 college, I am sorry, I did go to grad school,  
5 but I taught at the Kennedy School. I was a  
6 teaching fellow for money, I mean. My father  
7 died, so I got a job.  
8 Q. After you graduated from Harvard  
9 with a B.A., did you do any graduate  
10 schooling?  
11 A. Yes, I did.  
12 Q. Where?  
13 A. I went to Harvard.  
14 Q. For a masters?  
15 A. I went for J.D. and for an M.B.A..  
16 Q. Joint program?  
17 A. Yes.  
18 Q. Did you graduate?  
19 A. Yes, I was -- it is a four -- you  
20 get four years pay extra tuition, but you  
21 don't have to take five years. So I was  
22 technically class of '84, but I actually  
23 stayed back. You know, I had to stay to '85  
24 to do the fourth year, but my class -- since  
25 law school is three years and I started that

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1 T. G. GREEN  
2 first, that was '84 and then business school  
3 is two years, so I did that '83. That was  
4 '84, so I am the class of '84, but got out in  
5 '85.  
6 Q. Did you pass the bar?  
7 A. Yes, I did.  
8 Q. Of what state?  
9 A. Massachusetts.  
10 Q. Are you currently active?  
11 A. I pay my \$330 a year to the  
12 Massachusetts Bar Association or the BBO.  
13 Q. After you graduated in 1985, did  
14 you start working or did you continue with  
15 schooling?  
16 A. Started working.  
17 Q. And what was your first job after  
18 you graduated?  
19 A. I went into public finance at a  
20 firm called Kidder, Peabody which doesn't  
21 exist anymore.  
22 Q. How long were you there for?  
23 A. I joined that in '85. I left  
24 there for another investment bank some time in  
25 1986, I think mid-to late 1986. '86, did I

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1 T. G. GREEN  
2 say. I meant '85 if I said '95.  
3 Q. Where did you go to in '86?  
4 A. I went to what was then called the  
5 First Boston Corporation.  
6 Q. So you were at Kidder, Peabody?  
7 A. Kidder, Peabody Inc. or whatever  
8 the name was.  
9 Q. You were there for a year?  
10 A. Year and a half.  
11 Q. What was your job title there?  
12 A. I was an associate, I believe.  
13 Q. What were your job duties there?  
14 A. Well, there were barely computers,  
15 you know, so and there wasn't Power Point, but  
16 I did a lot of the predecessor presentations,  
17 worked on RFP, responses to request for  
18 proposal. A lot of just kind of internal  
19 stuff that junior people do, you know.  
20 Q. Is that similar to what an analyst  
21 does at Citigroup in your group?  
22 A. It was probably more paper  
23 intensive then because everything was on  
24 paper, even trading was -- there was something  
25 called the bluebook that was this thin blue .

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<p style="text-align: right;">Page 69</p> <p>1 T. G. GREEN</p> <p>2 A. Well, I received a call from the</p> <p>3 head of the southeast region. Just again,</p> <p>4 there is regional groups and then there is</p> <p>5 some product areas, like a Healthcare,</p> <p>6 Infrastructure. The head of the southeast</p> <p>7 group who is Norm Pellegrini called me and</p> <p>8 asked if I would take Brittany Sharpton and</p> <p>9 make her an offer and take her into the</p> <p>10 Infrastructure Group.</p> <p>11 Q. What did you say?</p> <p>12 A. I ended up saying -- he had his</p> <p>13 reasons and I ended up saying we would take</p> <p>14 her into the Infrastructure Group. We would</p> <p>15 hire her into the Infrastructure Group.</p> <p>16 Q. What were the reasons that</p> <p>17 Mr. Livolsi gave you?</p> <p>18 A. No, this was Norm Pellegrini.</p> <p>19 Q. What were the reasons that</p> <p>20 Mr. Pellegrini gave you?</p> <p>21 A. Ms. Sharpton had been a summer</p> <p>22 person the year before or the summer before in</p> <p>23 a different group and was not getting offered</p> <p>24 a position by that group. Her -- my memory is</p> <p>25 it is either her father or her uncle, I am not</p>	<p style="text-align: right;">Page 71</p> <p>1 T. G. GREEN</p> <p>2 may answer if you can.</p> <p>3 A. I don't know.</p> <p>4 Q. Did Mr. Pellegrini say anything</p> <p>5 about Ms. Sharpton's work performance during</p> <p>6 that conversation?</p> <p>7 A. I really don't recall.</p> <p>8 Q. Were you curious in any way as to</p> <p>9 why Ms. Sharpton didn't get an offer from the</p> <p>10 group she summered with?</p> <p>11 A. I don't remember anything other</p> <p>12 than talking -- having Norm call me and</p> <p>13 talking to him about it.</p> <p>14 Q. Do you know what group she</p> <p>15 summered with?</p> <p>16 A. I believe it was the housing</p> <p>17 group.</p> <p>18 Q. Did you ever speak to anyone in</p> <p>19 the housing group about Ms. Sharpton's</p> <p>20 performance at any time?</p> <p>21 A. I don't remember if I did. I</p> <p>22 might have.</p> <p>23 Q. Do you recall who you might have</p> <p>24 spoken to?</p> <p>25 A. Not really.</p>
<p style="text-align: right;">Page 70</p> <p>1 T. G. GREEN</p> <p>2 sure, was a board member or manager at a big</p> <p>3 Florida client of Norm Pellegrini's of</p> <p>4 Citigroup's. And so Norm asked me to hire her</p> <p>5 into the Infrastructure Group.</p> <p>6 Q. And at that point do you know if</p> <p>7 Brittany was already extended an offer by</p> <p>8 Citigroup?</p> <p>9 MR. BATTAGLIA: Objection.</p> <p>10 A. I don't believe she had been, but</p> <p>11 I am not certain.</p> <p>12 Q. And did you say anything to</p> <p>13 Mr. Pellegrini during this conversation?</p> <p>14 MR. BATTAGLIA: Objection.</p> <p>15 Q. Other than what you just testified</p> <p>16 to.</p> <p>17 A. I don't remember anything, saying</p> <p>18 anything else.</p> <p>19 Q. Did you say anything?</p> <p>20 A. I said I don't remember me saying</p> <p>21 anything else.</p> <p>22 Q. Okay. Do you know why</p> <p>23 Mr. Pellegrini didn't take Ms. Sharpton and</p> <p>24 put her in his group?</p> <p>25 MR. BATTAGLIA: Objection. You</p>	<p style="text-align: right;">Page 72</p> <p>1 T. G. GREEN</p> <p>2 Q. Did Mr. Pellegrini tell you what</p> <p>3 client Ms. Sharpton's father or uncle was a</p> <p>4 board member of?</p> <p>5 A. Yes, my memory is he did.</p> <p>6 Q. Which client is that?</p> <p>7 A. I don't remember which client. My</p> <p>8 memory is it might have been one of the toll</p> <p>9 road authorities down there, but I don't</p> <p>10 remember, there is a bunch of them.</p> <p>11 Q. In Florida?</p> <p>12 A. In Florida.</p> <p>13 Q. And do you know why Mr. Pellegrini</p> <p>14 wanted Brittany to work at Citigroup?</p> <p>15 MR. BATTAGLIA: Objection. You</p> <p>16 may answer if you can.</p> <p>17 A. You know, I don't know the</p> <p>18 specifics. You'd have to ask Mr. Pellegrini.</p> <p>19 Q. Do you think it is to maintain the</p> <p>20 relationship with this toll road client?</p> <p>21 MR. BATTAGLIA: Objection. Asked</p> <p>22 and answered.</p> <p>23 A. I don't know.</p> <p>24 Q. In your group what were</p> <p>25 Ms. Sharpton's job duties?</p>



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1 T. G. GREEN  
2 Q. Other than tobacco, did you work  
3 directly with Brittany?  
4 A. I don't remember other specific  
5 projects.  
6 Q. Now with respect to tobacco, were  
7 there multiple projects that you worked  
8 directly with Brittany on?  
9 A. Again, I didn't work directly with  
10 Brittany.  
11 Q. Okay.  
12 A. Very often. I remember some  
13 meetings she was in with respect to tobacco  
14 securitizations.  
15 Q. Did you work indirectly with  
16 Brittany on multiple projects with respect to  
17 tobacco securitization?  
18 MR. BATTAGLIA: Objection. You  
19 may answer.  
20 A. During this time period we're in  
21 the '07/08 time period, correct.  
22 Q. Yes, she was only employed from --  
23 A. I believe there was Buckeye and  
24 there might have been one or two other tobacco  
25 securitizations during that time. I don't

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1 T. G. GREEN  
2 recall if Brittany had a role in them, but she  
3 might have with again working with other  
4 people.  
5 Q. When you worked with Brittany on a  
6 project, did you have the opportunity to  
7 observe her work performance?  
8 A. Not much directly, no.  
9 Q. Were you able to form your own  
10 opinion about her work performance on these  
11 projects that you worked with her on?  
12 MR. BATTAGLIA: Objection. You  
13 may answer. I guess to clarify, through  
14 his own direct observance?  
15 MR. DATOO: Yes.  
16 MR. BATTAGLIA: Do you understand  
17 the question or should we have it --  
18 THE WITNESS: I think I understand  
19 the question.  
20 A. Typically if an analyst would do a  
21 project it would get reviewed at some level,  
22 like the director or somebody else on the  
23 transaction and then would get to me, you  
24 know, at another form or next draft or  
25 whatever. Again, I'd have to say generally

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1 T. G. GREEN  
2 no, I wouldn't have seen her first cut at  
3 something.  
4 Q. And on the projects that you  
5 worked with Brittany on, did you ever receive  
6 any negative feedback about her work  
7 performance?  
8 A. My memory is I did receive some  
9 negative feedback.  
10 Q. From who?  
11 A. Some of the directors in the group  
12 about I would say Steve Wood, Kimberly Swain,  
13 might have been a couple of others.  
14 Q. And this was in connection with  
15 the tobacco securitization projects?  
16 A. Not necessarily.  
17 Q. Anyone else you received negative  
18 feedback about Brittany from?  
19 MR. BATTAGLIA: To the extent you  
20 can recall.  
21 A. I don't recall other specific  
22 sources of feedback.  
23 Q. What did Steve Wood tell you about  
24 Brittany's work performance?  
25 A. My memory is that Brittany was

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1 T. G. GREEN  
2 working with Steve in the area of what are  
3 called pension obligation bonds and OPEBS,  
4 which are other post-employment benefit  
5 securities. Steve was kind of the specialist  
6 in that. And that Brittany was working with  
7 him on projects there.  
8 I don't recall a lot, but my  
9 memory is that there was some issue of a  
10 attention to detail and maybe on absorbing the  
11 concept, you know, on the uptake. I recall  
12 Steve saying something like, you know, got to  
13 kind of explain something a couple times.  
14 Q. Is that the only negative feedback  
15 you received from Mr. Wood regarding  
16 Brittany's work performance?  
17 MR. BATTAGLIA: To the extent you  
18 can recall.  
19 A. That's all I recall from Mr. Wood.  
20 Q. Was this done via conversation  
21 with Mr. Wood?  
22 A. Yes.  
23 Q. When was that conversation?  
24 A. I don't recall specifically.  
25 Q. Do you know if it was when



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<p style="text-align: right;">Page 107</p> <p>1 T. G. GREEN</p> <p>2 Brittany first started?</p> <p>3 A. I don't know.</p> <p>4 Q. Did you take any notes of your</p> <p>5 conversation with Mr. Wood?</p> <p>6 A. I don't recall.</p> <p>7 Q. What negative feedback of work</p> <p>8 performance did Kimberly Swain give you?</p> <p>9 A. Kind of a general comment on my</p> <p>10 memory about was she picking things up. And I</p> <p>11 think maybe a little bit on timeliness,</p> <p>12 meeting the assignment in a timely manner.</p> <p>13 Q. Did you have multiple</p> <p>14 conversations with Kimberly Swain about</p> <p>15 Brittany's work performance?</p> <p>16 A. Not that I remember.</p> <p>17 Q. Do you recall when you had this</p> <p>18 conversation -- was this a conversation you</p> <p>19 had with Kimberly Swain about Brittany's work</p> <p>20 performance?</p> <p>21 A. I don't, I don't recall the exact</p> <p>22 timing, no.</p> <p>23 Q. I asked you if it was a</p> <p>24 conversation you had.</p> <p>25 A. Oh, yes, it was a conversation.</p>	<p style="text-align: right;">Page 109</p> <p>1 T. G. GREEN</p> <p>2 '07, so I remember that date. So it would</p> <p>3 have been in the fall of 2007.</p> <p>4 Q. Did you receive any other positive</p> <p>5 feedback about Brittany's work performance?</p> <p>6 A. I don't remember. I just --</p> <p>7 Q. Did you ever receive any negative</p> <p>8 feedback about Matthew Chin's work performance</p> <p>9 as an analyst?</p> <p>10 A. I don't remember any.</p> <p>11 Q. Did you receive any negative</p> <p>12 feedback regarding Matthew Chin in general?</p> <p>13 MR. BATTAGLIA: Objection. You</p> <p>14 mean in roles other than analyst?</p> <p>15 Q. Other than his work performance.</p> <p>16 A. No, my memory is he was maybe</p> <p>17 quiet or something which I don't hold against</p> <p>18 an analyst.</p> <p>19 Q. So being quiet as an analyst is</p> <p>20 okay?</p> <p>21 A. Yes, it is not a criteria put on</p> <p>22 an analyst.</p> <p>23 Q. Do you know if Matthew Chin got</p> <p>24 along with his coworkers?</p> <p>25 MR. BATTAGLIA: Objection. You</p>
<p style="text-align: right;">Page 108</p> <p>1 T. G. GREEN</p> <p>2 Q. My next question is, do you</p> <p>3 remember when you had that conversation?</p> <p>4 A. I am sorry, I don't recall that.</p> <p>5 Q. Do you know if was around the time</p> <p>6 that Brittany first started?</p> <p>7 A. I don't recall that.</p> <p>8 Q. Did you take any notes of your</p> <p>9 conversation with Ms. Swain about Brittany's</p> <p>10 work performance?</p> <p>11 A. I don't recall if I did.</p> <p>12 Q. Did you ever receive any positive</p> <p>13 feedback about Brittany Sharpton?</p> <p>14 A. My memory is she did a good job on</p> <p>15 an assignment related to Buckeye, that was</p> <p>16 like working with the desk with tobacco</p> <p>17 trading information.</p> <p>18 Q. And who gave you the positive</p> <p>19 feedback about Brittany's --</p> <p>20 A. That's what I am not sure. Most</p> <p>21 likely it would have been Paul Creedon, but I</p> <p>22 am not sure.</p> <p>23 Q. Do you recall when you worked on</p> <p>24 the Buckeye Tobacco securitization?</p> <p>25 A. Well, it closed on Halloween in</p>	<p style="text-align: right;">Page 110</p> <p>1 T. G. GREEN</p> <p>2 may answer.</p> <p>3 A. Got along with his coworkers. I</p> <p>4 am not aware that he didn't.</p> <p>5 Q. Did anyone ever complain to you</p> <p>6 about Matthew Chin?</p> <p>7 A. No, I don't believe anybody did.</p> <p>8 Q. Did anyone ever request to have</p> <p>9 their work space moved away from Matthew Chin?</p> <p>10 A. Not to my memory, no.</p> <p>11 Q. Do you know if Matthew Chin ever</p> <p>12 argued loudly with a coworker at work?</p> <p>13 A. I don't remember that.</p> <p>14 Q. Do you know if Matthew Chin got</p> <p>15 along with Mathilde McLean?</p> <p>16 A. I don't remember that either.</p> <p>17 Q. Do you know if the two of them</p> <p>18 were involved in arguing in the work space?</p> <p>19 A. I don't think they even worked</p> <p>20 together.</p> <p>21 Q. Do you know if they sat next to</p> <p>22 each other?</p> <p>23 A. I don't recall that.</p> <p>24 THE VIDEOGRAPHER: The time is now</p> <p>25 12:03 P.M. and this is end of tape two.</p>

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<p style="text-align: right;">Page 111</p> <p>1 T. G. GREEN</p> <p>2 (Recess taken.)</p> <p>3 THE VIDEOGRAPHER: The time is now</p> <p>4 12:15 P.M., this is the beginning of</p> <p>5 tape number three in the videotaped</p> <p>6 deposition of Thomas H. Green.</p> <p>7 Q. Mr. Green, you have in front of</p> <p>8 you Plaintiff's Exhibit 447. Can you take a</p> <p>9 look at that document and let me know if you</p> <p>10 have seen it before.</p> <p>11 (Analyst year-end performance</p> <p>12 review, marked Plaintiff's</p> <p>13 Exhibit 447 for identification, as</p> <p>14 of this date.)</p> <p>15 A. Yes, I have seen this document</p> <p>16 before.</p> <p>17 Q. Can you tell me what it is?</p> <p>18 A. It is an analyst year-end</p> <p>19 performance review.</p> <p>20 Q. And did you complete this review?</p> <p>21 A. Yes, I did.</p> <p>22 Q. And what did you base the</p> <p>23 numerical scores on?</p> <p>24 MR. BATTAGLIA: Just to confirm</p> <p>25 for the record, you are talking about</p>	<p style="text-align: right;">Page 113</p> <p>1 T. G. GREEN</p> <p>2 area --</p> <p>3 Q. Do you know which specific</p> <p>4 directors you spoke to?</p> <p>5 MR. BATTAGLIA: I believe he is</p> <p>6 still answering.</p> <p>7 MR. DATOO: I am sorry.</p> <p>8 A. -- and the POB OPEB area that I</p> <p>9 mentioned in an earlier response. Probably in</p> <p>10 transportation just because that's a big part</p> <p>11 of the group. So that would be Steve Wood, I</p> <p>12 believe I would have spoken to Kimberly Swain,</p> <p>13 probably Paul Creedon, maybe David</p> <p>14 Livingstone. And possibly some intermediate,</p> <p>15 some associate or maybe PE or senior analysts</p> <p>16 type call.</p> <p>17 Q. Do you recall speaking to Mr. Wood</p> <p>18 about Brittany when completing this</p> <p>19 evaluation?</p> <p>20 MR. BATTAGLIA: Objection. You</p> <p>21 may answer.</p> <p>22 A. I recall calling around to get</p> <p>23 feedback on the analysts when I did</p> <p>24 interviews. I don't recall a specific</p> <p>25 conversation.</p>
<p style="text-align: right;">Page 112</p> <p>1 T. G. GREEN</p> <p>2 the scores down the right-hand column?</p> <p>3 MR. DATOO: Yes.</p> <p>4 A. Well, are you asking me how I put</p> <p>5 together the review or what --</p> <p>6 Q. Yes.</p> <p>7 A. Because I don't work directly much</p> <p>8 with the analysts individually. What I would</p> <p>9 typically do would be to call around to the</p> <p>10 directors and potentially people that are</p> <p>11 senior to the analysts to see what their views</p> <p>12 were on the performance of that analyst in the</p> <p>13 review the prior year.</p> <p>14 Q. And did you do that for Brittany</p> <p>15 with respect to this review?</p> <p>16 A. Yes, I believe I did.</p> <p>17 Q. And do you recall who you spoke to</p> <p>18 or communicated with?</p> <p>19 MR. BATTAGLIA: If you need some</p> <p>20 time to review the document.</p> <p>21 THE WITNESS: I am just looking at</p> <p>22 that.</p> <p>23 A. In reviewing this, it would appear</p> <p>24 that I would have spoken to the directors and</p> <p>25 others involved in probably the tobacco</p>	<p style="text-align: right;">Page 114</p> <p>1 T. G. GREEN</p> <p>2 Q. So you don't recall speaking to</p> <p>3 anyone in particular?</p> <p>4 A. I recall speaking to Steve Wood</p> <p>5 because I -- and I could refreshing my</p> <p>6 recollection looking at the document that</p> <p>7 since he was one doing POB OPEB, I clearly</p> <p>8 talked to Steve Wood. I wouldn't have been</p> <p>9 able to write this.</p> <p>10 Q. What did Steve Wood tell you about</p> <p>11 Brittany's performance?</p> <p>12 A. I would have --</p> <p>13 Q. Aside from the document, do you</p> <p>14 have an independent recollection as to what</p> <p>15 Steve Wood told you about Brittany's</p> <p>16 performance?</p> <p>17 A. Well, I do remember a conversation</p> <p>18 with Steve Wood. I don't know for sure if it</p> <p>19 was a conversation had in connection with</p> <p>20 doing the review or some other conversation</p> <p>21 about Brittany's performance. But the issue</p> <p>22 was attention to detail. And kind of as</p> <p>23 people work on projects they may not get some</p> <p>24 concept the first time, the second time you</p> <p>25 hope and then, you know, kind of just</p>



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1 T. G. GREEN  
2 developing as somebody who is understanding  
3 the context of the project.  
4 Q. And after reviewing the document,  
5 has your recollection been refreshed as to who  
6 else you spoke to other than Mr. Wood?  
7 MR. BATTAGLIA: Objection. I  
8 believe he testified to that. But you  
9 may answer.  
10 A. Well, my memory is since Kimberly  
11 Swain worked with pretty much all the  
12 analysts, I would have talked to her, I talked  
13 to Paul, I talked to Steve, probably Jason  
14 Baron who was more senior, whether he was a  
15 senior analyst or associate, I don't remember.  
16 Did I mention Paul Creedon already, and maybe  
17 David Livingstone might have had done some  
18 work with her.  
19 Q. What did Ms. Swain tell you about  
20 Brittany's work performance in connection with  
21 filling out this evaluation?  
22 A. My limited memory of it would be  
23 she had some concerns with attention to detail  
24 and kind of turnaround.  
25 Q. Was this a separate conversation

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1 T. G. GREEN  
2 or a second conversation you had with  
3 Ms. Swain about Brittany?  
4 A. I don't remember.  
5 Q. What did Paul Creedon --  
6 A. Creedon.  
7 Q. -- tell you about Brittany's  
8 performance?  
9 A. I think my memory is Brittany  
10 worked hard on some of these Buckeye  
11 presentations which are critical. Paul kind  
12 of had one of the lead roles along with me and  
13 Jim Haddon on that transaction and that, but  
14 that there were attention to detail, you know,  
15 issues.  
16 Q. But he also gave you positive  
17 feedback about Brittany too, correct?  
18 A. I believe he did.  
19 Q. Did you take notes regarding your  
20 conversation with Mr. Creedon?  
21 A. I believe I did, but I don't  
22 recall what I would typically do is call  
23 around and take some notes and then put the  
24 review together. I don't know if I kept the  
25 notes or not.

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1 T. G. GREEN  
2 Q. Do you know if you produced those  
3 notes to your attorneys?  
4 A. I know I produced what I had in  
5 the evaluation file. Whether I kept the  
6 notes, I don't know.  
7 Q. What did Mr. Livingstone tell you  
8 about Brittany's performance?  
9 A. I recall it wasn't super positive  
10 or positive, but I don't recall the details.  
11 Q. Do you recall when you had this  
12 conversation with Mr. Livingstone?  
13 A. I don't. Again, I suspect it was  
14 in connection with putting the review  
15 together.  
16 Q. The date on the second page  
17 indicates that Ms. Sharpton signed this review  
18 on June 18, 2008, correct?  
19 MR. BATTAGLIA: Objection.  
20 A. That is the date on the form,  
21 that's correct.  
22 Q. And do you believe you put this  
23 form together prior to June 18, 2008?  
24 A. I believe I finished it the day  
25 before because that's the date on page one,

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1 T. G. GREEN  
2 but I don't have an independent memory of the  
3 date.  
4 Q. Did you complete this -- do you  
5 recall completing this form in one day?  
6 A. I probably did this in one day.  
7 Whether I had to call over multiple days, I  
8 probably had to call over multiple days and  
9 then completed the form. There was typically  
10 some deadline from Marty.  
11 Q. So you believe you made calls  
12 regarding the evaluations in the days leading  
13 up to when you completed this?  
14 MR. BATTAGLIA: Objection. Asked  
15 and answered. You may respond.  
16 A. I actually missed the question  
17 because of the siren.  
18 Q. My question is, did you make all  
19 your calls regarding Brittany's work  
20 performance in connection with the completing  
21 this evaluation in the days before June 17,  
22 2008?  
23 MR. BATTAGLIA: Objection. You  
24 may answer.  
25 A. I don't know what dates they were,



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1 T. G. GREEN  
2 Q. Do you believe that now, now that  
3 you look at this document?  
4 A. I don't have an independent  
5 current view on that.  
6 Q. If you could flip to the second  
7 page, do you see where it says the heading  
8 overall rating? It is near the bottom half  
9 the page.  
10 A. Yes.  
11 Q. "Three trending two." You gave  
12 her that score; is that correct?  
13 A. Yes.  
14 Q. What does that mean, "three  
15 trending two"?  
16 A. My memory is in writing this and  
17 now in rereading it, that while many of the  
18 directors and others I spoke to about Brittany  
19 had concerns about attention to detail and  
20 some about turnaround timeliness, that she had  
21 some -- shown some initiative, as I noted on  
22 getting more involved in the POB OPEB. I had  
23 received some comments that she was a hard  
24 worker and had been improving. And so while I  
25 was evaluating as best I could the year's

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1 T. G. GREEN  
2 performance, some of the feedback I was  
3 getting I wanted to frankly send Brittany a  
4 signal that she was trending towards a two  
5 from a three.  
6 Q. And were you being truthful when  
7 you wanted to send her that signal?  
8 MR. BATTAGLIA: Objection.  
9 A. Yes, I was being truthful. I  
10 mean, I sent her the signal, the document  
11 shows that I sent her that signal.  
12 Q. I just want to be truthful in  
13 sending that signal?  
14 A. Yes, I was, thank you.  
15 Q. Can you tell me where in this  
16 document you indicated that Brittany was  
17 having an issue with timeliness?  
18 MR. BATTAGLIA: Objection.  
19 Misstates testimony, unless you are  
20 asking if this document requested.  
21 MR. DATOO: I am asking where in  
22 the document it is reflected.  
23 MR. BATTAGLIA: Objection.  
24 Misstates testimony.  
25 A. I don't -- I have that as a memory

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1 T. G. GREEN  
2 of the conversations.  
3 Q. But that's not in her evaluation,  
4 right?  
5 MR. BATTAGLIA: You mean the  
6 comments section.  
7 MR. DATOO: Yes.  
8 A. I would have to read this more  
9 fully than I have.  
10 Q. Please go ahead. The question  
11 was, is there anywhere in this evaluation that  
12 talks about, in the comment section, that  
13 talks about any timeliness issues Brittany  
14 had.  
15 MR. BATTAGLIA: Do you understand  
16 the question?  
17 THE WITNESS: Yes.  
18 A. The timeliness question comes up  
19 in the first page, not in the comments  
20 section.  
21 Q. Where in the first page?  
22 MR. BATTAGLIA: Objection.  
23 Q. Turnaround time. Do you know why  
24 it didn't appear in the comments section?  
25 A. The most consistent comment was

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1 T. G. GREEN  
2 attention to detail.  
3 Q. Now there also appears to be some  
4 positive comments in Ms. Sharpton's review,  
5 correct, in the comments section?  
6 A. Yes.  
7 Q. But the only positive feedback you  
8 recall getting about Brittany was from Paul  
9 Creedon?  
10 A. Paul Creedon. And now that I have  
11 read this while I had a recollection of Steve  
12 Wood having concerns about her Brittany  
13 picking up the area. I see that I give  
14 Brittany a favorable comment for her early  
15 work in the POB OPEB space that Steve Wood  
16 did.  
17 Q. Now you testified moments ago that  
18 Brittany was a three trending two, correct?  
19 A. I testified that I wrote that down  
20 in the review.  
21 Q. And you testified that you were  
22 being truthful when you wrote that down?  
23 A. Yes.  
24 MR. BATTAGLIA: Objection. There  
25 is more context, but yes.

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139-142

<p style="text-align: right;">Page 139</p> <p>1 T. G. GREEN</p> <p>2 Q. Do you recall when he was hired</p> <p>3 full-time by Citigroup?</p> <p>4 A. He was hired I believe full-time</p> <p>5 the next year after he was a summer analyst.</p> <p>6 So doing the math, if he was a first year in</p> <p>7 the fall of '08, I believe then he would have</p> <p>8 started in the fall of '08 or summer of '08.</p> <p>9 Q. Do you know if Mr. Dockery had</p> <p>10 passed his Series 52 at the time of the</p> <p>11 November 2008 layoffs?</p> <p>12 A. I don't know.</p> <p>13 MR. DATOO: I request documents</p> <p>14 showing when, if and when Mr. Dockery</p> <p>15 and Mr. Chin passed their Series 52.</p> <p>16 MR. BATTAGLIA: I believe you</p> <p>17 already have that but --</p> <p>18 MR. DATOO: My request is to the</p> <p>19 extent that these documents have not</p> <p>20 been produced.</p> <p>21 Q. As first year analysts, did</p> <p>22 Brittany and Matt get paid the same base</p> <p>23 salary?</p> <p>24 A. Marty Feinstein would know better</p> <p>25 than I because he runs the analysts program,</p>	<p style="text-align: right;">Page 141</p> <p>1 T. G. GREEN</p> <p>2 Q. Did Marty assign work to these</p> <p>3 analysts?</p> <p>4 A. I don't recall. He on occasion</p> <p>5 probably did.</p> <p>6 Q. So any feedback Marty would give</p> <p>7 you, would that be based on his personal</p> <p>8 experience or would it be serving as a</p> <p>9 repository for feedback from others?</p> <p>10 MR. BATTAGLIA: Objection. You</p> <p>11 may respond.</p> <p>12 A. Probably have to ask Marty. My</p> <p>13 impression would be probably both.</p> <p>14 Q. Did second year analysts get paid</p> <p>15 a higher base salary than first year analysts?</p> <p>16 A. For the period of time we're</p> <p>17 talking about?</p> <p>18 Q. Yes.</p> <p>19 A. I don't have a memory of the pay.</p> <p>20 My memory which is probably from a general</p> <p>21 period of time, is that each class of analysts</p> <p>22 have a salary and then as they moved up,</p> <p>23 depending on the year, there might be a bump</p> <p>24 in base salary for people in that class.</p> <p>25 Q. Now you testified earlier that</p>
<p style="text-align: right;">Page 140</p> <p>1 T. G. GREEN</p> <p>2 but I believe first years are paid the same</p> <p>3 base salary typically.</p> <p>4 Q. Just jumping back for a second to</p> <p>5 Ms. Sharpton's evaluation. Did Martin</p> <p>6 Feinstein play a role in her evaluation?</p> <p>7 A. I might have called Marty on the</p> <p>8 analysts and run the names with Marty as well.</p> <p>9 I don't recall.</p> <p>10 Q. What do you mean by "run the</p> <p>11 names"?</p> <p>12 A. To call Marty and say I am doing</p> <p>13 my analyst reviews, give me your feedback on</p> <p>14 whoever the analysts are.</p> <p>15 Q. Why would Marty be in a position</p> <p>16 to give you feedback?</p> <p>17 A. Well, he would be potentially.</p> <p>18 Q. Why?</p> <p>19 A. Because he runs the analyst</p> <p>20 associate program, which includes the initial</p> <p>21 training and periodic meetings. And analysts</p> <p>22 are to go to him or within each group go to</p> <p>23 the kind of group assignment people, which</p> <p>24 again are Kimberly Swain and Bill Corrado play</p> <p>25 that role in Infrastructure.</p>	<p style="text-align: right;">Page 142</p> <p>1 T. G. GREEN</p> <p>2 there was a layoff in late '07, early '08,</p> <p>3 correct?</p> <p>4 A. That's my memory, yes.</p> <p>5 Q. Did your group lose any money in</p> <p>6 that layoff?</p> <p>7 A. Yes. I RIFed an analyst and a</p> <p>8 director. This is my memory again. There</p> <p>9 were probably four of these, maybe more, RIF</p> <p>10 rounds throughout this period. Brian Cloonan</p> <p>11 was the analyst RIFed, and Tom Boast was the</p> <p>12 director.</p> <p>13 Q. Do you recall what your analyst,</p> <p>14 Mr. Cloonan was?</p> <p>15 A. I don't recall.</p> <p>16 Q. Why did you select Mr. Cloonan for</p> <p>17 layoff?</p> <p>18 A. I don't recall.</p> <p>19 Q. What was the criteria you were</p> <p>20 given, if any, for collecting people for that</p> <p>21 layoff?</p> <p>22 A. It is just hard to remember the</p> <p>23 individual rounds that well at this point.</p> <p>24 MR. BATTAGLIA: Objection. Maybe</p> <p>25 you have to read back the record. I</p>

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1 T. G. GREEN  
2 think you had asked if people were  
3 selected. Did you already ask if he  
4 selected them.  
5 MR. DATOO: I asked if his group  
6 lost anybody and -- okay.  
7 MR. BATTAGLIA: Before we jump to  
8 what criteria.  
9 Q. Did you select Mr. Cloonan and  
10 Mr. Boast for layoff?  
11 A. Yes, I did.  
12 Q. And were you given any criteria?  
13 A. My memory is again had a call or  
14 meeting with Frank Chin and might have been  
15 David Brownstein too, but definitely Frank  
16 Chin. Was probably given a general, you know,  
17 dollars and head count in the couple of people  
18 category.  
19 Q. Were you given that same criteria  
20 for the November 2008 layoff?  
21 MR. BATTAGLIA: Objection. You  
22 may respond.  
23 A. November 2008 was the fourth and  
24 largest RIF and the two main criteria which  
25 were had to be significant parts of the comp

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1 T. G. GREEN  
2 within this group and had to be head, you  
3 know, head count, significant head count.  
4 Those two general categories were  
5 the same, but the size, the word "significant"  
6 was much more emphasized then.  
7 Q. I think you already testified that  
8 you weren't given any specific numbers?  
9 A. That's correct.  
10 Q. I don't know if I asked you this  
11 already. Why did you select Cloonan for  
12 layoff?  
13 A. I don't recall.  
14 Q. And do you recall if there was a  
15 second round of layoffs in March of '08?  
16 A. Yes, believe there was a second  
17 one in March and then another one or two in  
18 the summer of '08.  
19 Q. Now in the March 2nd round of  
20 layoffs, did your group lose anybody?  
21 A. I may be confusing the rounds, but  
22 my memory of the timing of the -- of that  
23 round and then the third round, which is again  
24 summer'ish was that actually did not lose  
25 anybody in the March round in the

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1 T. G. GREEN  
2 Infrastructure Group. I may be wrong about  
3 that, but that's my memory.  
4 Q. With respect to the summer round,  
5 do you know if that was around the June 2008  
6 time frame?  
7 A. That sounds about the right time  
8 frame.  
9 Q. And did your group lose anybody in  
10 that layoff?  
11 A. I demoted a managing director to a  
12 director. And that produced a salary  
13 compensation benefit for and/or anticipated  
14 compensation reduction. And as I previously  
15 mentioned, one of the analysts in the group  
16 during this period of time was Shan  
17 Aranachalam, and I recall indicating to him  
18 that he would be RIFed, and then some time  
19 before that happened, somebody else left and I  
20 just don't remember. Somebody in either my  
21 group or northeast or something in the New  
22 York, and I ended up not needing to RIF Shan  
23 at that time.  
24 There may have been another person  
25 then, I just don't recall.

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1 T. G. GREEN  
2 Q. Who was the person that you  
3 demoted from managing director to director?  
4 A. Thomas W. Bradshaw.  
5 Q. And did you make the decision to  
6 demote him?  
7 A. I worked on that with Frank Chin.  
8 Q. Frank Chin gave you permission to  
9 demote him?  
10 A. That's correct.  
11 Q. Why was there a cost savings  
12 derived from his demotion?  
13 A. I don't remember the details. I  
14 believe we had a conversation that he'd give  
15 up the title and there would be a  
16 corresponding reduction in his comp that year.  
17 Q. Was that an option that you had?  
18 A. Was that an option that I had?  
19 Q. Like instead of laying people off,  
20 could you have just reduced their salaries?  
21 A. In that summer round, you said  
22 June, I don't remember the date, we were  
23 allowed to do that on that occasion for that  
24 one individual.  
25 Q. Do you know why?



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1 T. G. GREEN  
2 A. I don't. I think that round was  
3 -- my memory is that wasn't a huge round but  
4 it was significant. And that, you know, the  
5 comp benefit of that was viewed as worthwhile  
6 by Frank in the larger goals that he had to  
7 meet, you know, department-wide.  
8 Q. Was it your idea to demote  
9 Mr. Bradshaw?  
10 A. I don't remember if it came out of  
11 a conversation with Frank Chin, I don't  
12 remember that. Probably just out of a  
13 conversation.  
14 Q. Was that an option for the  
15 November 2008 RIF for you?  
16 A. No, it wasn't.  
17 Q. Why not?  
18 A. We were given a clear instruction  
19 that the head count reduction had to be  
20 significant. There is nothing about titles,  
21 it was all head count and compensation, both.  
22 Q. Was that the same instruction  
23 given for the June layoff?  
24 MR. BATTAGLIA: Objection.  
25 A. No, my memory, and I am just the

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1 T. G. GREEN  
2 Infrastructure Group head, but the firm as a  
3 whole had announced, you know, 30,000, 40,000,  
4 50,000, I don't remember the specific number,  
5 but a significant head count reduction for  
6 November. So just having someone around with  
7 a different title on a lower likely future  
8 bonus wasn't going to meet that.  
9 Q. Was the point of the layoff to  
10 reduce the size of the workforce or was it to  
11 save money?  
12 MR. BATTAGLIA: Objection. Asked  
13 and answered as to both RIFs, but I  
14 don't know which one you are talking  
15 about.  
16 Q. November '08.  
17 A. I didn't come up with the larger  
18 RIF plan of Citigroup.  
19 Q. But do you know if the  
20 November 2008 RIF, if the purpose of it was to  
21 save money or reduce the size of the  
22 workforce?  
23 MR. BATTAGLIA: Objection. Don't  
24 answer. He already responded to this  
25 question several times about the

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1 T. G. GREEN  
2 instructions that he was given in the  
3 summer 2008 RIF.  
4 MR. DATOO: Are you instructing  
5 not to answer?  
6 MR. BATTAGLIA: Asked and  
7 answered. What about this question can  
8 we not read back from prior testimony?  
9 MR. DATOO: I asked him before  
10 whether he was given a specific number  
11 as to head count or dollar figure, and  
12 he said no. Now I am asking him if the  
13 purpose of the November 8 RIF was to  
14 reduce the size of the workforce or to  
15 save money. I don't know why that's  
16 been asked and answered.  
17 MR. BATTAGLIA: There is several  
18 key terms that we could use for the  
19 prior testimony that being that --  
20 MR. DATOO: Let's search for --  
21 MR. BATTAGLIA: I am speaking. Do  
22 you want me to yell and raise my voice  
23 at you.  
24 He testified on several occasions  
25 that instructions he received for the

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1 T. G. GREEN  
2 November 2008 RIF that there was going  
3 to be significant reduction in head  
4 counsel and significant reduction in  
5 compensation.  
6 He testified he believed those  
7 instructions to be different than the  
8 prior ones, though the criteria was the  
9 same by the addition of the word  
10 significant.  
11 Frank Chin did not define for him  
12 what that meant, didn't give him a  
13 dollar sign, didn't give him a head  
14 count number. He testified that it is  
15 his interpretation of that and what he  
16 did with those instructions.  
17 I don't know what more you are  
18 going to get from this than what the  
19 testimony has already been.  
20 MR. DATOO: I am asking him if he  
21 knows what the purpose of the layoff  
22 was. I am not asking more criteria he  
23 was given, I am asking what the purpose  
24 to reduce it, reduce the workforce or to  
25 save money, that's all I am trying to



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<p style="text-align: right;">Page 155</p> <p>1 T. G. GREEN</p> <p>2 defined in any of these meetings?</p> <p>3 A. No, not quantitatively, no.</p> <p>4 Q. Did anyone ever ask at these</p> <p>5 meetings what substantial meant?</p> <p>6 A. Well, the Public Finance</p> <p>7 Department co-heads are Frank Chin, David</p> <p>8 Brownstein and they are reporting to Ward</p> <p>9 Marsh and within Municipal Securities. And</p> <p>10 they need to come up with a plan that met</p> <p>11 whatever they had been told they needed to</p> <p>12 produce in terms of comp reduction and head</p> <p>13 count reduction, I don't know what that larger</p> <p>14 number was.</p> <p>15 Q. You don't know what they were told</p> <p>16 by Ward Marsh?</p> <p>17 A. No.</p> <p>18 Q. Do you know why it was such a</p> <p>19 secret?</p> <p>20 MR. BATTAGLIA: Objection.</p> <p>21 A. I don't know. It wouldn't be</p> <p>22 unusual for me not to know, you know, the</p> <p>23 division instruction, firmwide, number or</p> <p>24 anything.</p> <p>25 Q. So it would be unusual for you?</p>	<p style="text-align: right;">Page 157</p> <p>1 T. G. GREEN</p> <p>2 analyst.</p> <p>3 Q. And did you select these people</p> <p>4 for layoff?</p> <p>5 A. I did with Jim Haddon who was the</p> <p>6 co-head with me.</p> <p>7 Q. And what was the name of the</p> <p>8 director?</p> <p>9 A. David Womack, W-O-M-A-C-K.</p> <p>10 Q. And what was the name of the</p> <p>11 analyst?</p> <p>12 A. My memory is the same time --</p> <p>13 Angela is not going to like this one-- Okon</p> <p>14 Onuntuei, O-K-O-N, I'd have to consult the</p> <p>15 last name spelling.</p> <p>16 Q. Was this analyst a man or a woman?</p> <p>17 A. A man.</p> <p>18 Q. Do you know what year this analyst</p> <p>19 was?</p> <p>20 A. I don't remember.</p> <p>21 Q. And this was before Brittany</p> <p>22 Sharpton was hired, correct?</p> <p>23 A. I don't remember the timing in</p> <p>24 '07, but I believe that's correct.</p> <p>25 Q. I don't know if I asked you this,</p>
<p style="text-align: right;">Page 156</p> <p>1 T. G. GREEN</p> <p>2 A. It would not be -- it's a double</p> <p>3 negative, I apologize. The fact that I didn't</p> <p>4 know would not be unusual. That's still a</p> <p>5 double negative.</p> <p>6 Q. That one I follow.</p> <p>7 So the only time you lost, prior</p> <p>8 to the November 2008 layoff, the only time you</p> <p>9 lost people in your group as part of those</p> <p>10 late 07/08 layoffs was in the first round when</p> <p>11 you lost Mr. Cloonan and Mr. Boast?</p> <p>12 A. No, because the round you asked me</p> <p>13 about wasn't the first round, it was actually</p> <p>14 the second round.</p> <p>15 Q. The one in this late</p> <p>16 December/early January, that was the second</p> <p>17 round?</p> <p>18 A. I believe so, yes.</p> <p>19 Q. Was there a round prior to that?</p> <p>20 A. Yes, some time in earlier in '07,</p> <p>21 I believe.</p> <p>22 Q. Earlier in '07, okay.</p> <p>23 How many people did you lose in</p> <p>24 that round?</p> <p>25 A. My memory is director and an</p>	<p style="text-align: right;">Page 158</p> <p>1 T. G. GREEN</p> <p>2 but I am sure your counsel will point out if I</p> <p>3 did. But were you given any criteria for the</p> <p>4 June 2008 layoff?</p> <p>5 A. My memory is some head count, some</p> <p>6 comp reduction, I don't remember any more</p> <p>7 specific than that.</p> <p>8 Q. But your head count for your group</p> <p>9 didn't reduce as part of that layoff, correct?</p> <p>10 A. I think net-net it did or would</p> <p>11 have and then -- my memory, which is not great</p> <p>12 on this point, somebody left and Shan</p> <p>13 Aranachalam was allowed to remain for at least</p> <p>14 a period of time, but at that point knew that</p> <p>15 wouldn't last very long if there were more</p> <p>16 RIFs, so I am assuming he ended up leaving.</p> <p>17 Q. And when you say someone left, was</p> <p>18 that someone in your group?</p> <p>19 A. That's what I don't remember.</p> <p>20 THE VIDEOGRAPHER: The time is now</p> <p>21 1:19 P.M. and this is the end of tape 3.</p> <p>22 (Time noted: 1:19 P.M.)</p> <p>23 A F T E R N O O N S E S S I O N</p> <p>24 August 25, 2012</p> <p>25 2:10 P.M.</p>

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1 T. G. GREEN  
2 T-H-O-M-A-S H. G-R-E-E-N, resumed and  
3 testified further as follows:  
4 EXAMINATION (Continued)  
5 BY MR. DATOO:  
6 THE VIDEOGRAPHER: The time is now  
7 2:10 P.M., this is tape number four in  
8 the videotaped deposition of Thomas H  
9 green.  
10 Q. Mr. Green, when did you first  
11 become aware that there was going to be a  
12 layoff in November 2008?  
13 MR. BATTAGLIA: Objection. You  
14 may answer.  
15 A. My memory is some time in early to  
16 mid-November there was -- I either got a call  
17 from Frank Chin or otherwise was told that  
18 there might be one.  
19 Q. And how many discussions did you  
20 have with Frank Chin regarding the  
21 November 2008 layoff?  
22 MR. BATTAGLIA: Objection. You  
23 may answer.  
24 A. My memory is approximately maybe  
25 two or three meetings, somewhere in there.

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1 T. G. GREEN  
2 Q. Do you recall when the first  
3 meeting was?  
4 MR. BATTAGLIA: Objection.  
5 A. Not a precise date, no.  
6 Q. Was anyone else present for that  
7 meeting?  
8 MR. BATTAGLIA: Objection.  
9 Answer.  
10 A. I don't remember the order. I  
11 believe I had a meeting or a phone call with  
12 Frank Chin, it might have been with Frank and  
13 David, but I think it might have actually been  
14 with Frank by himself for the first time.  
15 Q. Do you recall when the second  
16 meeting was?  
17 A. I don't recall specific dates.  
18 Q. Who was present at the second  
19 meeting?  
20 A. I guess without characterizing it  
21 as first or second, I remember meetings in  
22 November, earlier in November. Some of which  
23 were with Frank and/or David Brownstein. And  
24 at least one or maybe two of which also  
25 included Bart Livolsi who's the head of the

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1 T. G. GREEN  
2 all the regions and Fred Hessler, who is the  
3 head of the healthcare group.  
4 Q. Why were you involved in multiple  
5 meetings regarding the November 2008 layoff?  
6 MR. BATTAGLIA: Objection. You  
7 may answer.  
8 A. Well, my memory is it was clear in  
9 the early November meetings that this -- if  
10 this went forward it would be a substantial  
11 RIF both in dollars and in head count, and the  
12 largest groups in Public Finance, therefore  
13 where the head count is, and I don't know that  
14 I've got the precise order right. Healthcare  
15 is a large group, Infrastructure is a large  
16 group, the Northeast Group, which is Bart  
17 Livolsi is both the head of the Northeast  
18 Group and head of all regions. So he would be  
19 there as most familiar with the regional  
20 offices. Also the New York public Northeast  
21 Group, Public Finance Northeast Group.  
22 Q. Okay. So I want to make sure you  
23 were done.  
24 A. Okay. Thank you.  
25 Q. What was discussed at the second

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1 T. G. GREEN  
2 meeting?  
3 MR. BATTAGLIA: Objection. I  
4 thought he said he wasn't sure of the  
5 order.  
6 Q. The second time you met, what was  
7 discussed?  
8 A. I don't know first, second,  
9 whatever. How significant the RIF was going  
10 to be, and therefore, needed to involve a lot  
11 of account officers, and as well as obviously  
12 staff at all levels. And then cutting the  
13 compensation base of the department as well.  
14 Q. What I am trying to understand is,  
15 and please correct me if I am wrong, the first  
16 time you met or spoke to either Frank Chin or  
17 Frank Chin and David Brownstein you were told  
18 that there was going to be a RIF in November,  
19 correct?  
20 A. I don't believe I was told with  
21 any precision when it would occur, but that I  
22 remember from the summer of '08, not a  
23 particular day of the week, but I would gather  
24 before the Lehman bankruptcy, which was  
25 September 15th of '08. That at least my

